IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.493 OF 2006
IN
APPEAL FROM ORDER ST.NO.13422 OF 2006

Gold Coin Builders. ..Applicant.

V/s.

Sanjay Chandrakant Sharangdhar & Ors. ..Respondents.

Mr.Raju Subramanian, Sr. Counsel with Sanjay Jain i/b. L.D.Shah & Co. for applicant.

Mr.Manoj Kumar for respondent No.1 to 8.

Mr.Virendra Saraf for respondent No.10.

CORAM: A.M.KHANWILKAR,J

DATE : JULY 17, 2006.

P.C. :

1. Heard counsel for the parties. Perused the application.

2. Mr.Manoj Kumar waives notice for respondent No.1 to 8. Mr. Saraf waives notice respondent No. 10.

3. Delay as computed by the office is 15 days in filing of the appeal. From averments in the application it is obvious that the delay is on account of advocate’s fault. In such a case, as litigant should not suffer for the mistake of the

advocate, application is allowed in terms of prayer clause (a) on condition that the advocate on record shall personally pay costs quantified at Rs.1,500/- to the High Court Legal Services Committee within one week from today.

4. If this condition is complied with in time, appeal from order be registered, subject to any other office objection, to be listed as per its turn.